



5-7-12

279

PTO/SB/65 (03-09)

Approved for use through 03/31/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: NEBIAT GETACHEW Application Number: \_\_\_\_\_

Issue Date: \_\_\_\_\_ Filing Date: \_\_\_\_\_

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable:

05/11/2012 DALLEN 00000004 6382452

01 FC:1599

The above-identified patent:

☐ is a reissue of original Patent No. 6382452 original issue date 2002  
original application number \_\_\_\_\_  
original filing date \_\_\_\_\_

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application  
\_\_\_\_\_ filed on \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

5/5/12  
Date

NEBIAT GETACHEW  
Signature

NEBIAT GETACHEW  
Typed or printed name of person signing Certificate

[Page 1 of 4]

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ \_\_\_\_\_

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ \_\_\_\_\_ (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ \_\_\_\_\_

## 5. MANNER OF PAYMENT

- ☒ Enclosed is a check for the sum of \$ 2125.00
- ☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_
- ☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_

## 7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. \_\_\_\_\_

OR

☐ Send refund check

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

AA next CUA  
Signature(s) of Petitioner(s)

5/5/12  
Date

NEBIAT GETACHEW  
Typed or printed name(s)

Registration Number, if applicable

1358 portsmouth ct  
Address

(630) 372-8709  
Telephone Number

Carolstream FL 60188  
Address

## ENCLOSURES:

- ☐ Maintenance Fee Payment  
☐ Statement why maintenance fee was not paid timely  
☐ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)  
☐ Other:

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

*NEBIAT GETACHEW*  
Signature

5/5/12  
Date

NEBIAT GETACHEW  
Type or printed name

\_\_\_\_\_  
Registration Number, if applicable

### STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Dear Mr. Knight

I received your letter and have decided I wanted to apply for the "unavoidable" category. The last few years have been very difficult on me. I have been having medical problems and my sister has recently has been going through a difficult divorce. My medical problems have also left me unable to work as such, most of my income such as it is, has had to be used for my day to day needs because I have Crohn's disease, Eye problem, Back, Leg, shoulder and joint pain, Arthritis, Asthma, Anemia, Fibromyalgia, Heartburn, Headache, endometriosis and I have to many surgeries because of this illness I can't work.

I hope maybe this can provide sufficient basis for my claim. Thank you so much for your help in this difficult matter. enclosed in my check for \$2125.00 if there is any thing else you need. Please don't hesitate to contact me.  
sincerely

nebiat Getachew

(Please attach additional sheets if additional space is needed)

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



Northwestern Center for Clinical Research

680 N. Lake Shore Drive • Suite 1220 • Chicago, IL 60611 • tel: 312.503.2300 • fax: 312.503.2305

September 13, 2004

To Whom It May Concern:

Nebiat Getachew D.O.B.: 6/11/1966 is participating in a study at Northwestern Center for Clinical Research. The subject was hospitalized from 7/16/2004 until 7/28/2004 at Northwestern Memorial Hospital. She was being treated for an acute flare of her Ulcerative Colitis. She was also suffering from anemia and exhaustion secondary to her illness. This patient also has endometriosis. This patient is under the care of Dr. Alan L Buchman, MD MSPH, and his secretary is Jessica Gomez ph. 312-695-2912 at Northwestern Memorial Hospital. Thank you very much. Please contact our office should you have questions.

*Annamaria Babbo, RN BSN*

Annamaria Babbo, RN BSN

Research Coordinator

Northwestern Center for Clinical Research

Feinberg School of Medicine, Northwestern University

680 N. Lake Shore Drive, Suite 1220

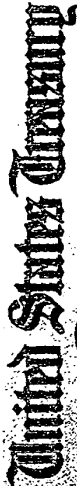
Chicago, IL 60611

a-cherian2@northwestern.edu

ph. (312) 503-2331

fax. (312) 503-2305

*2004 I being treated  
for ulcerative colitis  
but I have endometriosis disease.*



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S 511,118,316

Check No.

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NEBIAT T GETACHEW

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Pay to

the order of

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FOR JUL

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VOID AFTER ONE YEAR

454

REGIONAL DISBURSING OFFICER

PHOTO

11 2054811

since the end of 2003 I do not work  
I am disabled because of my illness.

my eye  
problem

## McCarthy Eye Center, S.C.

James L. McCarthy, M.D. • Timothy J. McCarthy, D.O.  
Surgery and Diseases of the Eye • Board Certified Ophthalmologists

**R** For Nesic: Getcelew Date 12 April 11  
DEA # 12 April 11

- 1) Stable Optic Atrophy of right eye
- 2) Hx of central retinal vein occlusion of right eye
- 3) Hx of vasculitis of right eye

Refills 1

☐ May Substitute

Timothy J. McCarthy, D.O.

7055 W. North Ave.  
Oak Park, IL 60302  
Phone (708) 848-2030  
Fax (708) 848-2070

Elmhurst Memorial Center For Health  
1200 S. York Road, Suite 4110  
Elmhurst, IL 60126  
Phone (630) 279-2030  
Fax (630) 279-2070

[www.mccarthyeyecenter.com](http://www.mccarthyeyecenter.com)





## Your New Benefit Amount

*This is my income*

*794.00*

BENEFICIARY'S NAME: NEBIAT T GETACHEW

Your Social Security benefits will increase by 3.6 percent in 2012 because of a rise in the cost of living. You can use this letter when you need proof of your benefit amount to receive food, rent, or energy assistance; bank loans; or for other business.

### How Much Will I Get And When?

- Your monthly amount (before deductions) is \$794.00.
- The amount we deduct for Medicare medical insurance is \$0.00.  
(If you did not have Medicare as of Nov. 17, 2011,  
or if someone else pays your premium, we show \$0.00.)
- The amount we deduct for your Medicare prescription drug plan is \$0.00.  
(If you did not elect withholding as of Nov. 1, 2011, we show \$0.00.)
- The amount we deduct for voluntary Federal tax withholding is \$0.00.  
(If you did not elect voluntary tax withholding as of  
Nov. 17, 2011, we show \$0.00.)
- After taking any other deductions, we will deposit \$794.00  
into your bank account on Jan. 3, 2012.

If you disagree with any of these amounts, you must write to us within 60 days from the date you receive this letter. We would be happy to review the amounts.

### What If I Have Questions?

Please visit our website at [www.socialsecurity.gov](http://www.socialsecurity.gov) for more information and a variety of online services. You also can call 1-800-772-1213 and speak to a representative from 7 a.m. until 7 p.m., Monday through Friday. Recorded information and services are available 24 hours a day. Our lines are busiest early in the week, early in the month, as well as during the week between Christmas and New Year's Day; it is best to call at other times. If you are deaf or hard of hearing, call our TTY number, 1-800-325-0778. If you are outside the United States, you can contact any U.S. embassy or consulate office, or ~~the nearest U.S. Consulate General in Manila. Please have your Social Security claim~~ number available when you call or visit and include it on any letter you send to Social Security. If you are inside the United States, and need assistance of any kind, you also can visit your local office.

1325 N. LAKE STREET  
AURORA IL